

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Ursula N. Smith,

Plaintiff,

v.

Case NO. 2:12-cv-534

Commissioner of Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the September 26, 2013, report and recommendation of the magistrate judge, recommending that plaintiff's motion for attorney fees under the Equal Access to Justice Act be granted. The Commissioner did not file a response to plaintiff's motion.

The report and recommendation specifically advised the parties that the failure to object to the report and recommendation within fourteen days of the report would result in a "waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court[.]" Doc. 23, p. 7. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court has reviewed the report and recommendation of the magistrate judge. Noting that no objections have been filed and that the time for filing such objections has expired, the court adopts the report and recommendation of the magistrate judge (Doc. 23). Accordingly, plaintiff's motion for attorney fees (Doc. 22) is granted, and plaintiff is awarded attorney fees under the Equal Access to Justice Act in the amount of \$4,336.50.

It is so ordered.

Date: October 16, 2013

s/James L. Graham

James L. Graham